

Message Text

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PAGE 01 STATE 201355
ORIGIN SCS-05

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FM SECSTATE WASHDC
TO AMCONSUL TANGIER

UNCLAS STATE 201355

E.O. 11652: N/A

TAGS: CDES (CHARLES, RUTH BOYCE)

SUBJECT: ESTATE OF RUTH CHARLES

REF: TANGIER 0282

1. CONOFF REQUESTED TO CLARIFY NEED FOR POWER OF ATTORNEY FROM PAUL TOMKINS TO ENABLE CONSULATE GENERAL TO ACT IN HIS BEHALF AS PROVISIONAL CONSERVATOR OF ESTATE OF RUTH CHARLES AS REQUESTED PARA 4 REFTEL. CONOFF HAS AUTHORITY AND RESPONSIBILITY UNDER US LAW TO ACT AS PROVISIONAL CONSERVATOR OF ESTATE OF USC WHO DIES ABROAD IN CIRCUMSTANCES PRESCRIBED IN 22 USC 1175 (22 CFR 72.15, 72.16, 7 FAM 444), UNLESS CONTRARY TO LOCAL LAW.

2. PAUL TOMKINS INFORMED DEPT OFFICER THAT HE DOES NOT RPT NOT INTEND TO ACT AS EXECUTOR OF AUNT'S ESTATE IN MOROCCO AND, AS SHE WAS LEGAL RESIDENT OF MOROCCO AND NOT US, HE BELIEVES IT IS UNLIKELY THAT COURT IN US WOULD ACCEPT WILL FOR PROBATE, IF PRESENTED.

3. POST REQUESTED TO REPORT WHAT MOROCCAN LAW PROVIDES IN UNCLASSIFIED

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SUCH CIRCUMSTANCES. DOES MOROCCAN LAW PROVIDE FOR DISPOSITION BY COURT APPOINTED PUBLIC ADMINISTRATOR, OR SIMILAR SYSTEM? IN VIEW OF NEPHEW'S UNWILLINGNESS TO

SERVE AS EXECUTOR AND DECEDENT'S RESIDENCE IN MOROCCO, IT IS SUGGESTED THAT ESTATE BE LEFT UNDER JURISDICTION LOCAL AUTHORITIES FOR SETTLEMENT IN ACCORDANCE LOCAL LAW,

IF APPROPRIATE. ON OTHER HAND, IF MOROCCAN LAW PROVIDES
INSTEAD THAT SUCH ESTATES BE TURNED OVER TO CONSULAR
OFFICER FOR DISPOSITION, CONOFF SHOULD PROCEED AS OUTLINED
IN 7 FAM, KEEPING IN MIND THE RESTRICTIONS PLACED ON THE
CONSULAR OFFICER UNDER PROVISIONS OF 22 CFR 72.40 AND
72.41 (7 FAM 445.8).

4. POST IS REMINDED THAT REQUESTING INSTRUCTIONS FOR
DISPOSITION OF ESTATE AND PAYMENT OF LOCAL BILLS NOT RPT
NOT APPROPRIATE IN DIRECT RELAY DEATH NOTIFICATION
CABLE (PARA 8 REFTTEL). SEPARATE CABLE SHOULD BE SENT WHEN
SUCH INSTRUCTIONS URGENTLY NEEDED BY POST. REVIEW FORMAT
PRESCRIBED DEPT'S A-1597 ATTACHMENT 1, PARA 4.

5. DISPOSITION OF REMAINS WILL BE SUBJECT SEPARATE
CABLE. CHRISTOPHER

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NNN

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